

Jun 26, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CARL ANDERSON, an individual;
MARSHALL ANDERSON, an
individual; ELMER C. ANDERSON,
INC., a Washington Corporation; JEFF
WIERSMA, an individual; and J2
CATTLE CO., a Washington
Corporation,
Plaintiffs,
v.
UNITED STATES OF AMERICA;
UNITED STATES DEPARTMENT
OF DEFENSE; and UNITED
STATES ARMY,
Defendants.

No. 1:18-cv-03011-SAB

**ORDER GRANTING STIPULATED
MOTION RE FILING OF FIRST
AMENDED COMPLAINT**

Before the Court is the parties' Stipulated Motion Re: Filing of First Amended Complaint, ECF No. 19. The parties stipulate and request the Court grant Plaintiffs leave to file a First Amended Complaint. Pursuant to Fed. R. Civ. P. 15(a)(2), the Court finds good cause to grant the stipulated motion.

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**ORDER GRANTING STIPULATED MOTION RE FILING OF FIRST
AMENDED COMPLAINT ^ 1**

Accordingly, **IT IS ORDERED:**

1. The parties' Stipulated Motion Re: Filing of First Amended Complaint, ECF No. 19, is **GRANTED**. Plaintiffs are granted leave to file their First Amended Complaint, ECF No. 19, Appendix A.

2. Defendants shall have 21 days after the filing of Plaintiffs' First Amended Complaint to file any response thereto.

3. Defendants' Motion for Rule 12 Dismissal of Plaintiffs' Claims Against Defendants United States Department of Defense and United States Army, ECF No. 13, is **DENIED as moot**.¹

4. Defendants' Rule 12(b)(1) Motion for Dismissal of Plaintiffs' Inverse Condemnation & Strict Liability Claims for Lack of Jurisdiction, ECF No. 16, is **DENIED as moot**.²

IT IS SO ORDERED. The District Court Clerk is hereby directed to enter this Order and to provide copies to counsel, and docket Plaintiffs' First Amended Complaint, located at ECF No 19, Appendix A.

DATED this 26th day of June 2018.



A handwritten signature in blue ink, reading "Stanley A. Bastian", is positioned to the right of the court seal.

Stanley A. Bastian
United States District Judge

¹ Plaintiffs' First Amended Complaint removes the United State Department of Defense and the United States Army as named-defendants in this action.

² Plaintiffs' First Amended Complaint no longer presents an inverse condemnation or strict liability claim.